

**SILVERBROOK RESEARCH Pty Ltd**

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ACN 066 573 671

#5

FACSIMILE MESSAGE

Date: **March 10 2004**
To: **Group Receptionist Art Unit 2622**
Fax No.: **0011 1 703 872 9306**
Subject: **United States Patent Application No. 09/575,110**
Inventors/Assignors: Simon Robert Walmsley
Assignee: SILVERBROOK RESEARCH PTY LTD
Our Ref: **PEC03US**

Total Number of Pages (including this) : 19

Attached is a reply to the Notice of Abandonment, of Examiner Marie Twyler Lamb, dated February 24, 2004.

Regards


Leonie News
Silverbrook Research Pty Ltd

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TECHNOLOGY CENTER 2000**

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PTO/SB/21 (08-03)

Approved for use through 07/31/2008. OMB 0661-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/575,110
	Filing Date	May 23, 2000
	First Named Inventor	Simon Robert Walmsley
	Art Unit	2622
	Examiner Name	Marie Twyler Lamb
	Attorney Docket Number	PEC03US
Total Number of Pages in This Submission		19

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request to Withdraw Abandonment
Remarks Email: ka.silverbrook@silverbrookresearch.com Telephone: 61-2-9818-6633 Facsimile: 61-2-9555 77621		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Simon Robert Walmsley c/Silverbrook Research Pty. Ltd. 393 Darling Street, Balmain, NSW, 2041, Australia
Signature	<i>Simon Walmsley</i>
Date	March 19, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Simon Robert Walmsley
Signature	<i>Simon Walmsley</i>
Date	March 19, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**SILVERBROOK RESEARCH Pty Ltd**

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ACN 066 573 671

March 9, 2004

Commissioner of Patents
United States Patent and Trademarks Office
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ALEXANDRIA VA 22313-1450
UNITED STATES OF AMERICA

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MAR 09 2004

Attn: Examiner Twyler Marie Lamb
Art Unit: 2622

OFFICIAL

Dear Examiner Twyler Marie Lamb

USSN 09/575,110**In the Name of Simon Robert Walmsley****Docket No: PEC03US****RECEIVED**

MAR 16 2004

In response to the Notice of Abandonment we hereby lodge a petition to **WITHDRAWAL** **IN THE NAME OF**
HOLDING OF ABANDONMENT.

The Notice of Abandonment states that a reply to the Office Action mailed on July 7, 2003 was not received by the USPTO. We confirm that the reply was faxed in response to the Office Action mailed on July 7, 2003. We therefore petition the commissioner to **WITHDRAW HOLDING OF ABANDONMENT** on this application.

The enclosed Declaration of my Patent Administrator, Leonie Frances News, confirms that a response was faxed to the USPTO on October 7, 2003.

We respectfully request favourable consideration of our petition.

Yours sincerely,

Kia Silverbrook
Silverbrook Research Pty Ltd

Encl.

Commonwealth of Australia
Statutory Declarations Act 1959

STATUTORY DECLARATION

In the Matter of US Patent
Application No. 09/575,110
in the name of Simon Robert
Walmsley

I LEONIE FRANCES NEWS of 393 Darling Street, Balmain, New South Wales, 2041, Australia do solemnly and sincerely declare as follows:


1. I am the Patent Administrator of Silverbrook Research Pty Ltd and have held this position since 1 September 1999.
2. I have responsibility for maintaining files, preparing responses and forwarding the responses to Office Actions for the United States patent applications of Simon Robert Walmsley and Silverbrook Research Pty Ltd, including US Patent Application No. 09/575,110 (*"The Patent Application"*).
3. I received a Notice of Abandonment on The Patent Application stating that the reply was not timely filed at the USPTO to Office Action mailed on July 7, 2003.
4. I then checked my file for The Patent Application and now state that the reply was faxed to the USPTO on The Patent Application on October 7, 2003. A copy of the Reply sent to the Office Action and all other accompanying documents are attached, together with the fax transmission sheet and Transmittal Form and marked as Exhibit LFN-1.

And I make this solemn declaration aware of the penalties for false declarations under section 11 of the Statutory Declarations Act 1959 (Cwth of Australia).

- 2 -

5. Examiner Marie Twyler Lamb was emailed on March 4, 2004 in relation to the facsimile number the response was sent to. It appears from Examiner Marie Twyler Lamb's reply that the facsimile number the response was sent to was incorrect. That is, the Office Action of July 1, 2003 referred to facsimile no. 703 746 6036 for regular communications, whereas Examiner Marie Twyler Lamb's email indicated that the correct facsimile no. for regular communications is 703 872 9306. A copy of Page 4 of the Office Action and of Marie Twyler Lamb's email are attached and marked as Exhibit LFN-2.

Declared at Sydney)
This 04 day of March)
2004 by Leonie Frances)
News)


Leonie Frances News

Before me:)

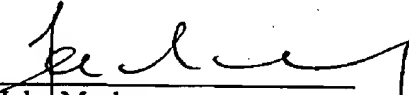

John Mackay
Solicitor of the Supreme Court
Of New South Wales

Exhibit LFN-1

*** TX REPORT ***

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TX/RX NO	1312
CONNECTION TEL	001117037486036
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ST. TIME	07/10 04:55
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ACN 088 573 671

FACSIMILE MESSAGE

Date: October 7, 2003
To: Group Receptionist Art Unit 2622
Fax No.: 0011 1 703 746 6036
Subject: United States Patent Application No. 09/575,110
Inventors/Assignors: Simon Robert Walmsley
Assignee: SILVERBROOK RESEARCH PTY LTD
Our Ref: PEC03US

Total Number of Pages (including this) 8

Attached is a response to the Office Action, of Examiner Marie Twyler Lamb, dated July 7, 2003.

Regards

AP: Leonie News
Silverbrook Research Pty Ltd

COPY

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Total Number of Pages (including this) **8**

Attached is a response to the Office Action, of Examiner Marie Twyler Lamb, dated July 7, 2003.

Regards

P.L.

MP: Leonie News
Silverbrook Research Pty Ltd

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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Email: kla.silverbrook@silverbrookresearch.com Telephone: 61-2-8818-8633 Facsimile: 61-2-9555 77621	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Simon Robert Walmsley c/Silverbrook Research Pty. Ltd. 393 Darling Street, Balmain, NSW, 2041, Australia
Signature	
Date	October 7, 2003

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